

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

TROY SYKES,

Plaintiff,

v.

SCOTT MACOMBER,

Defendant.

No. 1:23-cv-0967 JLT EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING THE
ACTION WITH PREJUDICE FOR FAILURE
TO STATE A CLAIM, AND DIRECTING
THE CLERK OF COURT TO CLOSE THE
CASE

(Doc. 10)

Troy Sykes is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action, in which he asserts the defendant violated his civil rights by not providing a free college education in the California State University and University of California programs. (Doc. 9.) The magistrate judge found Plaintiff failed to state a cognizable claim, and recommended the action be dismissed with prejudice. (Doc. 10.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 30 days. (Doc. 10 at 8.) The Court advised him the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.* at 9, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014), *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) Plaintiff did not file objections, and the time to do so has passed.

According to 28 U.S.C. § 636(b)(1)(C), this Court performed a *de novo* review of this case. Having carefully reviewed the matter, the Court concludes the Findings and

Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The Findings and Recommendations entered on January 29, 2024 (Doc. 10) are **ADOPTED** in full.
2. This action is **DISMISSED** with prejudice for failure to state a claim.
3. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: **March 15, 2024**


UNITED STATES DISTRICT JUDGE